

REMARKS/ARGUMENTS

This amendment is respectfully submitted in response to the non-final Office Action dated May 6, 2004.

I. **Introduction**

Claims 1-7 and 10-22 were previously canceled. Claim 23 has been amended to clarify the claim. Accordingly, claims 8, 9, and claim 23 are pending in this application.

In the Office Action, the Examiner objected to claim 8 because of informalities. The Examiner's interpretation of lines 13-14 of claim 8 which was apparently mangled during facsimile transmission is correct, and the claim as set out in the above claims set accurately reflects the content of the previous submission. Applicant is not aware of any informalities in the claim as presented and believe the Examiner's objection was merely due to a fax transmission problem in the pervious submission.

Claim 23 was rejected under 35 U.S.C. 112. This claim has been amended to clarify the invention as claimed. It is respectfully submitted that the amendment to claims 23 overcomes the 35 U.S.C. 112 rejection.

With regard to prior art rejections, claims 8 and 9 stand rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,574,599 to Lim et al. (hereinafter "the Lim et al. patent"). In addition, claim 23 stands rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,363,349 to Urs et al. (hereinafter "the Urs et al. patent") in view of U.S. Patent No. 6,259,786 to Gisby et al. (hereinafter "the Gisby et al. patent").

With regard to claims 8 and 9, as will be discussed in detail below, the Lim et al. patent discloses a telephony interface to a public telephone network to receive communications requests, and may connect to "outbound" calls utilizing the same interface, and connecting the incoming line transmitting the request with the outbound lines. Applicant claims receiving a request over the Internet, making a call to a party based on voice recognition, making an additional call to the requestor using a supplied contact telephone number, and bridging the two calls together. Since the request came in over the Internet, and not a telephony device, Applicant's method does not directly connect the requestor with the desired party (as is done in the Lim et al. patent), and instead utilizes the inventive process of making an additional call to the requestor over a telephone line, and then bridging the requestor with the desired party over the bridged telephone lines. Therefore, the two approaches are very different, and there is no teaching or suggestion in the Lim et al. patent to perform the steps claimed by Applicant.

Claim 23, as amended, discloses receiving voice data over the Internet, making a telephone call over the telephone network based on the speech recognition of the voice data, receiving a telephone contact number of the human being who provided the voice data, making a telephone call to that number over the telephony network, and bridging the two calls together. The Urs et al. patent discloses a request coming in over a wireless communications system, and then connecting that incoming caller with a variety of outgoing data/voice circuit options. As was discussed above in relation to the Lim et al. patent, the Urs et al. patent does not teach or suggest an incoming request over the Internet, receiving a telephone reach number of the person who made the request, calling the desired party over the telephone network, additionally calling the reach number over the telephone network, and bridging the two calls together.

Again, as with the Lim et al. patent, there is no need to call the requestor, as the requestor is already on a telephone network line, and can be directly

connected with any outgoing communications over the telephone network. Conversely, Applicant discloses the voice request/data coming in over the Internet, and the connections being made over the telephone network, thereby requiring an additional call to the contact number where the requestor can be reached via the telephone network. The Gisby et al. patent does not supply the missing references, teachings, or suggestions. Finally, since both the Lim et al. patent and the Urs et al. patent have no need to make a telephone call to the requestor, they teach away from making such a call.

Accordingly, as will be discussed below, none of the pending claims, as amended, are rendered obvious by the applied references.

In view of the above amendment and following remarks, it is respectfully submitted that all of the pending claims are patentable over the applied references.

II. Summary of the Invention and Discussion of the Applied References

1. Summary and Discussion of the Invention

One exemplary embodiment of the present invention is directed to methods for allowing a user to send a voice request to a speech processing facility over the Internet, rather than over the telephone network. For instance, a speech file could be sent to the speech processing facility as an E-mail attachment (specification, p. 8, lns 1-3). One instance where this might be useful would be where the user's device is not "telephony enabled." In other words, the device might not be capable of performing a dialing operation (specification, p. 11, lns 22-26). In this case, the device sends a telephone number where the user can be contacted by telephone along with the speech data. The speech processing facility then performs speech recognition on the speech data, causes a telephone call to be made based on that

recognition process, then causes an additional telephone call to be made to the contact telephone number, and then causes the two calls to be bridged together.

2. The Lim et al. Patent

In contrast to the present invention, the Lim et al. patent describes a system which receives a request over the telephone network, rather than via the Internet (see Fig. 1, Public Telephone Network 129 is connected to a telephony server 126). In col. 10, lns 24-29, referring to the Telephony Server 126, it states: "Of the 45 telephone lines, 32 may be provisioned for the subscribing or non-subscribing users to dial into the unified messaging system, and the other 13 telephone lines may be employed to allow outbound calls to be made from within the unified messaging system." Also, the Abstract states: "...responsive to verbal input from a user through a telephone [emphasis added]". Further, col. 1, lns 60-62 state: "...permitting a user to employ a telephone to access the various communication services of a unified messaging system . . ." Finally, in col. 10, lns 32-34 it states: "The outbound calls may also be originated by the subscriber, who dials into his own account at the unified messaging system . . . [emphasis added]"

Figure 1 also shows a user computer 100 and an Internet connection 102 and 104. Significantly, the patent does not teach or suggest using these items to receive communications requests. For voice dialing calls, the system utilizes Public Telephone Network 129 to make the "outbound" calls, and then connects the outgoing call(s) with the incoming call from the requestor (user).

The Examiner states on p. 3 that "Lim does not disclose receiving speech data over the Internet." Applicant agrees with Examiner. The Examiner goes on to say that it would have been obvious to use IP telephony with the Lim et al. patent. If the Examiner means that a user could use an IP phone to contact the system in the Lim et al. patent to interface with Public Telephone Network 129, Applicant agrees. However, that would not teach Applicant's invention of receiving the speech data

“over the Internet.” The receipt of the data in such a case would be over the Public Telephone Network 129, even if the Internet was utilized earlier in the call process.

If, on the other hand, the Examiner means to say that it would have been obvious to have a user call in to Internet connection 104 (Fig. 1 of the Lim et al. patent), Applicant strenuously disagrees. First, there is no teaching or suggestion in the Lim et al. patent of how to interface the incoming Internet message with the Telephony server 126, to connect to the outbound calls. Further, and more importantly, if the user's Internet device does not support voice telephony, then the Lim et al. patent would not teach or suggest how to connect the user to the outbound call(s). For example, in col. 14, lns 64-67 of the Lim et al. patent it states: “...prior to coupling the outbound call path with the inbound call path to complete the end to end connection.”

The Examiner states on p.4 of the Office Action “Lim et al. do not disclose initiating an additional telephone call to a telephone where the human being who was the source of speech corresponding to speech data can be contacted and further bridging said telephone call and said additional telephone call”. Applicant agrees with Examiner that these elements are not found or suggested in the Lim et al. patent.

Examiner states that it would have been obvious to have the user input his own contact number in the request, so that an outbound call would be made to him at the contact number. There are three problems with this suggestion. First, there is no teaching or suggestion in any of the references to take such an approach. Second, Applicant strongly disagrees that such an approach would be “obvious.” Third, the Lim et al. patent teaches away from this approach, by specifying that the incoming request arrives via the Public Telephone Network 129, and that the outbound calls are connected to the requestor incoming call (col. 13, lns 56-59: “If answered, the outbound circuit is then connected by the telephony server to the incoming circuit to complete the end-to-end connection”). Applicant's position is that it would not be at all obvious how to connect the incoming Internet signal with the outgoing telephony

circuits. Also, there is nothing in the Lim et al. patent to suggest the need for such a capability.

Based on the above discussion, it cannot be fairly said that the Lim et al. patent teaches or suggests the limitations in Applicant's claim 8, nor that those limitations would have been obvious, given the Lim et al. patent. Therefore, it is respectfully submitted that claim 8 is not rendered unpatentable over the Lim et al. patent.

3. The Urs et al. and the Gisby et al. References

The Urs et al. patent describes distributed speech processing in a wireless communication system. The communication infrastructure receives a request from a communication unit for a communication service that supports both voice and data communication and receives a call request for a call between the communication unit and a communication device. The communication infrastructure establishes a voice path between the communication unit and the communication device using a wireless communication resource and establishes a data path between the communication unit and a distributed speech processing unit using the wireless communication resource.

There is no teaching or suggestion of requests arriving via the Internet, as is the case in Applicant's invention. There is also no teaching or suggestion of making a telephone call to the user, and bridging that call with a call to a third party. The discussion above regarding the Lim et al. patent is equally applicable to the Urs et al. patent. The limitations of amended claim 23 are substantially similar to those of claim 8, and therefore the same arguments apply with regard to either independent claim, as applied to either the Lim et al. patent or the Urs et al. patent, or a combination of the two.

Further, the Gisby et al. patent does not supply any of the missing elements of the limitations of Applicant's claims 8 or 23.

III. The Pending Claims Are Patentable

In the following claims, at least the bold-highlighted features render them patentable over the applied references for the reason given above.

1. Claims 8-9 Are Patentable

Claim 8 and claim 9 which depends therefrom are patentable because claim 8 recites:

A method of operating a speech processing facility coupled to the Internet, the method comprising the steps of:

receiving speech data transmitted over the Internet;
performing a speech recognition operation using the received speech data;

performing an action based on the results of the speech recognition operation performed using the received speech information, including initiating a telephone call using a telephone number associated with a name recognized by performing said speech recognition operation;

initiating an additional telephone call to a telephone where the human being who was the source of speech corresponding to said speech data can be contacted; and

bridging said telephone call and said additional telephone call.

2. Claims 14-17 Are Patentable

Claim 23 is patentable because claim 23, as currently amended, recites:

A method of operating a speech processing facility coupled to the Internet, the method comprising the steps of:

receiving speech data transmitted over the Internet;
receiving a contact telephone number corresponding to a telephone at which a human being who was the source of the received speech can be contacted;

performing a speech recognition operation using the received speech data;
performing an action based on the results of the speech recognition operation performed using the received speech information, including controlling a telephony device, wherein the telephony device is coupled to the Internet and a telephone line and wherein the telephony device is controlled to perform dialing operations;
causing the device to initiate a telephone call by dialing a telephone number determined by the speech recognition operation;
causing the device to initiate an additional telephone call by dialing the received contact telephone number; and
causing the device to bridge said telephone call and said additional telephone call.

Therefore, it is respectfully submitted that the Examiner withdraw the rejection of these claims.


IV. Conclusion

In view of the foregoing amendment and remarks, Applicant respectfully submits that the pending claims, as amended, are in condition for allowance. Accordingly, Applicant requests that the Examiner pass this application to issue.

If there are any outstanding issues which need to be resolved to place the application in condition for allowance the Examiner is invited to contact Applicant's undersigned representative by phone to discuss and hopefully resolve said issues. To the extent necessary, a petition for extension of time under 37 C.F.R. 1.136 is hereby made, the fee for which should be charged to Patent Office deposit account number 07-2347.

Respectfully submitted,

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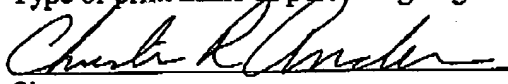
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